



February 15, 2008

Mr. Robert A. Morin  
Secretary General  
CRTC  
Ottawa, ON  
K1A 0N2

Online: <http://support.crtc.gc.ca>

Dear Mr. Morin,

**Re: Broadcasting Notice of Public Hearing CRTC 2007-15  
Proceeding on the Canadian Television Fund (CTF) Task Force Report  
Final comments**

1. This is the final submission of the Alliance of Canadian Cinema Television and Radio Artists (ACTRA) in the matter of Public Notice CRTC 2007-15 regarding the Proceeding on the Canadian Television Fund (CTF) Task Force Report.
2. ACTRA appreciates the opportunity to participate in this important process reviewing the Commission's Task Force Report. We are pleased to have this chance to place our final remarks on the public record.
3. ACTRA and its predecessor organizations have represented the interests of professional performers working in the English-language media in every region of Canada for more than 60 years. ACTRA bargains collectively on behalf of 21,000 performers. In addition, ACTRA represents the interests of thousands of singers and musicians through the work of the ACTRA Performers' Rights Society, Sound Recording Division, which collects and distributes royalties from the public performance of musical recordings.

**Strong support for the CTF**

4. ACTRA echoes the Canadian Television Fund's (CTF) closing remarks, noting that a majority of intervenors support the fund. The CTF is not broken. The only problem identified by most participants is the fact that the CRTC BDU Regulations do not presently require monthly contributions to the fund. We expect that this deficiency will be corrected in this process.
5. If nothing else, the Commission's Task Force process and hearings, along with the Canadian Heritage Committee and Senate Committee hearings, all of which were precipitated by Shaw and Vidéotron's irresponsible actions, have led already to an

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even stronger CTF that is more broadly supported across the film and television industry.

6. On the opening day of the CTF hearings, ACTRA along with the Canadian Film and Television Production Association (CFTPA), the Directors Guild of Canada (DGC) and the Writers Guild of Canada (WGC) released results of a Harris/Decima poll the organizations had jointly commissioned showing strong support for the CTF by the Canadian public. Of the 2,038 Canadians who participated in the telephone survey, a strong majority (71%) believe it is important to have access to Canadian television programming distinct from American programs. More than three-quarters (78%) say that it is important to them to have a choice of television programs that reflect Canadian society, values, and perspectives.
7. Canadians also strongly support public funding for the CTF. Fully 86% of Canadians surveyed agree that the government should make the investment in the CTF to help ensure that Canadians have access to Canadian TV programs that reflect Canada and its people. Respondents were also informed that cable and satellite TV providers are required to contribute a small percentage of their revenues to the CTF in return for certain protections and benefits they receive as part of their broadcast licences. More than three-quarters (82%) of Canadians agree with this policy.

#### **Transparency and adaptability**

8. The CTF has demonstrated its adaptability and its transparency. In his remarks, the CBC's Richard Stursberg said, "The fund is not and never has been static or rigid in its approach to supporting Canadian programming. The fund's greatest strength has always been its adaptability. It has evolved and changed with a changing industry and I expect it will continue to do so." In closing comments, the CTF stated it is open to 'meaningful change.' The CTF is willing to respond to positive ideas raised during the hearings process, and believes that these can be accomplished within the fund's current structure, without splitting the fund into a public and private stream.

#### **Splitting the fund and reducing content requirements would be a backward step**

9. ACTRA remains steadfastly opposed to dividing the fund into two streams, as we have consistently stated in our submissions and in our oral presentation. ACTRA also vehemently opposes the proposal to reduce the CAVCO requirements for the proposed new private funding stream from 10 out of 10 to eight out of 10 CAVCO points. Nothing we heard at the hearings or read in the transcripts has changed our minds on either of these issues. A private fund is not the way to go. Reducing CAVCO points to eight out of 10 is an insult to Canadian creators and will not provide any guarantee of audience success. The CTF's Ms. Creighton cautioned against splitting the fund into separate commercial and cultural streams, stating that the CTF is already a market-driven, culturally focused, and results-based organization, for all of its funds.

#### **All CTF funds are public funds**

10. ACTRA maintains that all CTF funds are public funds. This point was debated throughout the hearings, and the Commission acknowledged the varying opinions on this issue. Monique Lafontaine of the DGC stated that all CTF funds are 'infused with a public trust.' The CTF itself treats its funding as being sourced from the public. In its opening slide presentation, the CTF had a useful chart which positioned the

Canadian public at the apex. Funds flowed from Canadians to the CTF by two routes – through their taxes and through their cable subscription fees

11. During the hearings, the Commission noted that while BDU contributions have grown as revenues have increased, it had not heard requests for parallel increases for the government contribution. ACTRA wishes to note for the record that, in our pre-budget submissions to the Standing Committee on Finance, we have annually requested increased, stable funding for the CTF by the government. And in 2003, when the federal government surprised everyone with a \$25 million cut from the annual CTF budget, ACTRA, along with the DGC, WGC, the producers and others in the industry, rallied and mounted sufficient pressure on the government to force it to restore the funding.

### **Governance**

12. ACTRA was pleased to hear from the CTF in its opening presentation, that it will welcome a designate from the creative guilds to its Board of Directors. We urge the Commission to pursue this with the CTF to ensure that the CTF adds to its Board one representative from each of the English and French language creative communities, chosen in an appropriate way by the key organizations in each community.
13. For years, ACTRA has requested representation from the creative organizations on the CTF board. Creators have much to bring to the board table. ACTRA members have extensive experience in a range of roles beyond performance. Many of our members have gone on to write and direct productions. Some have become producers. Creators will bring a unique and valuable perspective to the CTF Board of Directors, and we welcome the opportunity to take our seat at the table.

### **Broadcasters must promote and properly schedule priority programming**

14. ACTRA has long argued before the Commission that broadcasters must do more to support and properly schedule Canadian programming. Since 2002, ACTRA's campaign for Canadian programming has fought for the Commission to regulate conventional over-the-air broadcasters to spend 7% of their advertising revenue on Canadian drama, and to air 2 hours per week of original Canadian dramatic programming in prime time.
15. As part of ACTRA's oral remarks and in response to questions, actor Peter Outerbridge spoke about what promotion can do to drive audience success. Paul Gross' 2002 movie *Men With Brooms* was supported by an unprecedented marketing campaign and the film's opening weekend broke box office records for English-language films. Commissioner Arpin recognized the importance of scheduling and promotion of Canadian television in his questioning of subsequent intervenors.
16. Proper scheduling and promotion is perhaps the single-most important factor in finding an audience for Canadian priority programming. CTF-funded productions are no stranger to audience success, despite Shaw's efforts to argue otherwise during the hearings. If we want Canadian shows to be even more successful, and ACTRA does, broadcasters must be required to invest in high quality Canadian programming, and they must be required to air these shows in prime time when

Canadians are watching. Broadcasters must then promote them as relentlessly and effectively as they promote their popular U.S. shows.

17. ACTRA thanks the Commission for the opportunity to provide our final comments.

Thank you

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Stephen Waddell  
National Executive Director  
ACTRA

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